

# QUESTIONS ABOUT YOUR SOCIAL SECURITY DISABILITY BENEFITS?

Find answers and general information here.



## WHAT IS SOCIAL SECURITY DISABILITY INSURANCE (SSDI)?

Social Security disability insurance is a program from the [Social Security Administration](#) (SSA) that helps Americans aged **18 to 64** with a “medically determinable physical or mental impairment (including an emotional or learning problem)” make ends meet. In addition, this disability must stop you from being able to perform your current job or similar work for at least 12 months.



If you qualify for SSDI, you'll typically begin receiving monthly payments about five months after your approval date. **How much money you get each month depends on how much you paid in Social Security taxes during your working years and your average lifetime earnings.** It's also important to remember that while receiving SSDI, you can **only earn up to \$18,240 annually.**

If your claim's denied, you have the right to **appeal the denial** and get back-pay for each day since you became disabled.



## WHAT IS SUPPLEMENTAL SECURITY INCOME (SSI)?

When it comes to disability assistance, Social Security Disability Insurance (SSDI) and Supplemental Security Income (SSI) are two programs Americans can lean on.

SSI benefits come from the general tax revenue, and **does not require** individuals who benefit to have contributed income during their working years. If you've never worked or did not work full-time for 5 in the last 10 years, you may qualify for SSI, but not SSDI.

To qualify for SSI benefits, you must fit **ONE OR MORE** of the following requirements:

- Currently age 65 or older
- Blind
- Disabled

If none of these three qualities applies to you, then you **aren't eligible for SSI benefits**.

SSI benefits cover necessities such as food, clothing, and shelter specifically for households with limited income and resources. Children **under age 18** with certain mental or physical impairments may also qualify for monthly SSI benefits.



**40 Social Security work credits**  
are enough to qualify for any SSA benefit,  
provided you meet all required criteria.



## SOCIAL SECURITY WORK CREDITS

**Retirement Benefits.** If you were born in 1929 or later, then you'll need 40 work credits, or the **equivalent of full-time employment for 10 years**.

**Disability Benefits.** The minimum number of work credits to qualify for SSDI depends on your age at the time you became disabled. In most cases, you still need 40 work credits. You must have earned 20 work credits within the last decade, ending with the same year you became disabled.

***Note: Your Social Security work credits history is kept on record with the SSA, and these earned credits never expire.***



## CAN YOU RECEIVE BOTH SSI AND SSDI?



Yes – but not many do.

In 2018, **only 10%** of disability beneficiaries (1,253,000 people) aged **18-64** received **BOTH SSI and SSDI**.



## CHANGES IN HEALTH

**Changes in a beneficiary's health situation, such as declining health or improving conditions, may impact his or her SSDI benefits.**

The Social Security Administration uses a **five step** process to determine Social Security disability benefits eligibility:

1. Are you working?
2. Is your medical condition "severe?"
3. Is your condition on the Compassionate Allowances List (CAL)?
4. Can you do the work you did before?
5. Can you do any other type of work?

## TOP 5 SOCIAL SECURITY DISABILITY APPLICATION MISTAKES

1. Applying for benefits if you're **still able to work or currently employed**.
2. Applying for benefits before your doctor confirms you'll be out of work for **one year or longer (12 continuous months)**.
3. Expecting the consultative exam doctor to find enough **evidence to prove that you're disabled**.
4. **Missing out on doctor visits, medical treatments or prescription drugs** needed to treat your disability.
5. **Not getting legal help** filing your claim unless you've been diagnosed with a condition on the CAL (compassionate allowances) list.





## OTHER DISABILITY CLAIM FACTORS

- Compassionate Allowances
- Invisible Disabilities
- Temporary Disabilities



## QUALIFYING CONDITIONS

### Compassionate Allowances (CAL)

If you suffer from one of the hundreds of qualifying conditions for Social Security disability on the CAL list, you may be able to receive your disability benefits in a **matter of days**. To see a complete list of CAL conditions, visit:

<https://www.ssa.gov/compassionateallowances/conditions.htm>

### Invisible Disabilities

The most common invisible conditions approved for SSDI benefits are as follows:

- Fibromyalgia
- Chronic obstructive pulmonary disorder (COPD)
- Depression
- Multiple sclerosis (MS)
- Autism
- Cancer survivors often fall into this category

***Note:** Applicants are expected to collect all medical documentation that will best support their claim and valuable evidence that shows the impact their disability has had on their daily life activities.*



## TEMPORARY DISABILITY

You **cannot** qualify for disability until you've been out of work for **at least 5 months**. In most cases, that'll be covered under workers' compensation claims or the short-term disability insurance policy offered by **your employer (if applicable)**.

SSDI only covers people who cannot work for a **full 12 months**.



## ARE SOCIAL SECURITY BENEFITS TAXABLE?



Yes! Social security disability benefits **are taxable**.

However, most people **don't pay taxes** on SSDI because they have little (if any) additional income.

Approximately **1 in 4** SSDI recipients owed federal income taxes on benefits in 2015, usually because of their spouse or other household earnings.



## APPLICATION TIMELINE

### first

The process for determining each applicant's fate **varies greatly**, and there is **no time limit set** on when individual decisions are made. It largely depends on:

1. How much information the SSA representative needs to collect, such as your income, medical reports, etc.
2. How long it takes to collect it, and
3. How many applications they currently have in the queue.

**This can all take anywhere from 1-6 months to complete.**

### second

It usually takes another **3-6 months** for the SSA to issue your next determination decision. If the second decision (also known as reconsideration) results in your claim's denial, then you'll need to request an appeals hearing. The usual wait time before appearing in court is **1-2 years**.

### third

That means you may have to wait **up to two years** (or even longer, depending on where you live) after submitting your initial application.

## APPROVAL

81%

MUST APPEAL THEIR FIRST DECISION. **ONLY 19%** OF APPLICANTS GET APPROVED THE FIRST TIME.

60 DAYS

REAPPLY WITHIN **60 DAYS** TO AVOID STARTING THE APPLICATION PROCESS OVER FROM THE BEGINNING.

14



## WHAT HAPPENS AFTER SOCIAL SECURITY DISABILITY APPROVAL?

If you qualify for SSDI, you typically begin receiving monthly disability payments five months after your approval date. For example, if you received your award letter in January, you may receive your first check in June.

The amount of money that you receive each month in disability benefits is dependent upon your lifetime earnings. However, you can expect your amount to equal **about 40%** of your averaged monthly paychecks earned over a 35-year work history, adjusted for current inflation.

### **Health Insurance**

After you're approved for SSDI, you must wait 24 months before becoming eligible to enroll into Medicare Part A (hospital insurance) and Part B (health insurance).

(Medicare is health insurance specifically for individuals who are over the age of 65 and younger people who are blind or have qualifying disabilities.)



# APPEALING YOUR CLAIM'S DENIAL

## FOUR STEPS TO FILING YOUR SOCIAL SECURITY DISABILITY APPEAL

### Step 1: Request for Reconsideration

Regardless of whether your initial claim was denied or the SSA suspended your SSDI benefits, all claimants have **60 days to dispute their decision and file an appeal.**

### Step 2: Request an Administrative Law Judge (ALJ) Hearing

ALJs grant benefits in about **42% of claims decisions.** To appeal your suspension of continuing benefits, visit a disability hearing officer in your area and request a reconsideration ***within 60 days.***

### Step 3: Request Appeals Council Review

The Appeals Council randomly selects cases for review, so your case may not get chosen at all. And if it does, they have the power to grant, deny, or dismiss your request for disability benefits.

### Step 4: Request a Federal Court Review

Federal judges mainly look for legal errors in your application and review process. District court judges reverse denials in less than a third of all appealed cases.





## BENEFITS OF LEGAL REPRESENTATION BY AN ADVOCATE OR ATTORNEY

Advocates and attorneys know the ins and outs of the process and will work to get you **approved faster and maximize your potential payments** (for both adults and children under 18 years). In addition to making you 2x more likely to get your claim approved, here are just a few other benefits that may be associated with choosing a representative:

**1.** Ensure nothing is missed or incorrect on your application.

**2.** Help you provide your most current medical documents.

**3.** Give you advice about witness testimony.

**4.** Coach you to answer questions correctly during your hearing.

**5.** Cross-examine those testifying in your hearing.

**6.** Navigate through the appeals process.



## **SITUATIONS THAT MAY CHANGE YOUR ABILITY TO RECEIVE BENEFITS**



## LIFE CHANGES THAT CAN AFFECT YOUR ABILITY TO RECEIVE BENEFITS

Once you begin receiving benefits, bear in mind that these payments aren't permanent. Disability update reviews occur regularly (every 3-7 years) and are based on your physical or mental condition. Common situations which may impact your monthly benefits include:

**1. If your health improves** and you are able to work again.

**2. Change in marital status** (get married, divorced or become widowed).

**3. Change in spouse's income.**

**4. Home ownership** doesn't disqualify you from receiving benefits. SSDI is based on your Social Security tax contributions during your working years.

**5. When you turn 65,** your SSDI automatically converts into regular Social Security retirement payments.

**6. Traveling outside the United States for 30 consecutive days.**